

E-filed 5/11/07

JAN P. WEIR, State Bar No. 106652
STEVEN M. HANLE, State Bar No. 168876
STRADLING YOCCA CARLSON & RAUTH
Professional Corporation
660 Newport Center Drive, Suite 1600
Newport Beach, CA 92660-6422
Telephone: (949) 725-4000
Facsimile: (949) 725-4100

Attorneys for Plaintiff
BIOGENEX LABORATORIES, INC.

RON E. SHULMAN, State Bar No. 178263
ROGER J. CHIN, State Bar No. 184662
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 565-5100

Attorneys for Defendant
VENTANA MEDICAL SYSTEMS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BIOGENEX LABORATORIES, INC.,

Plaintiff,

v.

VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

CASE NO.: C03-3916-JF

CASE NO.: C05-0860-JF


STIPULATION OF DISMISSAL

The parties hereby stipulate, by and through their respective counsel, that this action is dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1), with each party to bear its own costs and attorneys' fees.

Defendant withdraws its submission regarding Ventana's Costs and Attorneys' Fees Incurred in Filing and Litigating Its Motion for Summary Judgment (Docket No. 79 in Case No. C05-0860-JF).

1 Dated: May 10, 2007


STRADLING YOCCA CARLSON & RAUTH
Professional Corporation

2
3 By: 
4 Jan P. Weir

5 Attorneys for Plaintiff
6 BIOGENEX LABORATORIES, INC.

7 Dated: May 10, 2007

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

8
9 By: 
10 Roger J. Chin

11 Attorneys for Defendant
12 VENTANA MEDICAL SYSTEMS, INC.

13
14 5/11/07 IT IS SO ORDERED.

15 
16 JUDGE JEREMY FOGEL, US DISTRICT COURT